

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OKLAHOMA FIREFIGHTERS PENSION
AND RETIREMENT SYSTEM,

Plaintiff,

v.

ELON R. MUSK, ELON MUSK
REVOCABLE TRUST DATED JULY 22,
2003, EXCESSION, LLC, AND JARED
BIRCHALL,

Defendants.

No. 1:22-cv-03026-ALC-GWG

Honorable Andrew L. Carter, Jr.

JOINT STATUS REPORT

Lead Plaintiff Oklahoma Firefighters Pension and Retirement System (“Lead Plaintiff”) and Defendants Elon R. Musk, Elon Musk Revocable Trust Dated July 22, 2003, Excession, LLC, and Jared Birchall (collectively, “Defendants” and together with Lead Plaintiff, the “Parties”) respectfully submit this Joint Status Report pursuant to the Court’s March 28, 2025 Order (ECF No. 118).

Since the Court’s March 28, 2025 Order granting in part and denying in part Defendants’ motion to dismiss (ECF No. 118), the Parties submitted a Joint Stipulation and Order Regarding Revised Schedule setting revised deadlines for, among other things, Defendants’ Answer to Lead Plaintiff’s First Amended Complaint, Lead Plaintiff’s letter seeking permission to file its motion for class certification, cut-offs for fact and expert discovery, and letters seeking permission to file summary judgment and *Daubert* motions. ECF No. 120.

The Parties have also resumed discovery and are meeting and conferring in good faith with respect to Lead Plaintiff’s existing document requests and interrogatories to Defendants. The

Parties will raise any discovery disputes to the Court in accordance with Rule 2A of Judge Carter's Individual Practices and Rule 2A of Judge Gorenstein's Individual Practices if they arise.

We appreciate the Court's attention to this matter and are available to discuss at the Court's convenience.

Dated: April 28, 2025

Respectfully submitted,

**BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP**

**QUINN EMANUEL URQUHART
& SULLIVAN, LLP**

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All electronic signatures ("/s/") are signed with consent of counsel pursuant to Rule 8.5 of this Court's Electronic Case Filing Rules and Instructions updated as of July 24, 2023.